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On June 25, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: \_\_\_\_\_

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*#21  
Plunkett  
7/11/02*

In re application of:

Mark Chee et al.

Application No.: 08/856,376

Filed: May 14, 1997

For: POLYMORPHISMS IN HUMAN  
MITOCHODRIAL DNA

Examiner: Ardin Marschel

Art Unit: 1631

COMMUNICATION

Box Sequence  
P.O. Box 2327  
Arlington, VA 22202

Sir:

In response to the Office communication and CRF problem report mailed June 10, 2002, please find enclosed a replacement copy of the computer-readable form of Sequence Listing originally filed December 11, 2001.

REMARKS

The Office communication and CRF problem report mailed June 10, 2002, stated that the original copy of the computer-readable form of the Sequence Listing filed December 11, 2001 was damaged due to treatment given to all incoming mail.

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PATENT

Applicants have enclosed a replacement copy of the computer-readable for of the sequence listing which is identical in content to the paper copy of the Sequence Listing filed December 11, 2001.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Nathan S. Cassell  
Reg. No. 42,396

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NSC:adm  
PA 3231841 v1

## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 08/856,376 C  
Filing Date: 5/14/1997  
Date Processed by STIC: 1/30/2002

STIC Contact: Mark Spencer, 703-308-4212

### Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

**<http://www.uspto.gov/web/offices/pac/checker>**

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

